

COCHIN LEGISLATIVE COUNCIL PROCEEDINGS

OFFICIAL REPORT OF THE LEGISLATIVE SESSION, 1118

Thursday, the *11th February 1943*
29th Makaram 1118

The Council met in the Council Hall, Ernakulam, at eleven of the clock with the Hon'ble the President (A. F. W. DIXON Esq. C.I.E., I.C.S.), in the Chair

Messrs. A. B. Salem, Popatlal Goverdhan Lalan, C. Kunjan Nambudiripad and S. S. Koder were absent,

QUESTIONS AND ANSWERS

65. Mr. A. V. Moothedan (*Chalakkudi*): Will the Government be pleased to state.—

(a) whether all the amounts payable under the Diwan Peishkar's award No. 206/16 (Cochin Kanayannur Taluk—Ernakulam Town) have been disbursed to the claimants;

(b) if not, who are the claimants not yet paid;

(c) what is the reason for such a long delay in paying them;

(d) has the Anjikaimal District Court written to the Diwan Peishkar to send these amounts to the Court;

(e) if so, what is the reply sent to court;

(f) will Government be pleased to place on the table the correspondence relating to this subject?

Mr. A. Madhava Prabhu (*Diwan Peishkar*): (a) No.

(b) 1. Carel Almeida c/o The Tata Oil Mills Ltd.

2. K. K. Moideen Rowther.

3. Patayattil Joseph George

(c) The parties of failure to satisfy the conditions of the award.

(d) No letter from the Anjikaimal District Judge is seen received.

(e) Does not arise in view of the answer to question (d)

(f) It is not clear from the question what correspondence is meant.

There is no correspondence between the District Judge and the Diwan Peishkar in the matter of the amount due to these parties.

DISQUALIFICATION OF MEMBERS—APPOINTMENT AS ORGANISERS OF THE NATIONAL WAR FRONT

104. Mr. A. V. Moothedan (*Chalakkudi*): Will Government be pleased to state whether their attention has been drawn to a statement in the "Hindu" dated 25th September 1942 to the effect that the Governor of Madras has given his assent to an Act for removing disqualifications from the Membership of the Madras Legislature in the case of members who might be appointed as Organisers of the National War Front?

Rama Varmha Tampuran (*Secretary to Government*): Yes.

Mr. A. V. Moothedan (*Chalakkudi*): Are the members of this Council appointed to the National War Front?

Rama Varmha Tampuran (*Secretary to Government*): Yes.

Mr. A. V. Moothedan (*Chalakkudi*): Are the rights and privileges of the members of this Council and the Council in Madras, the same?

Rama Varmha Tampuran (*Secretary to Government*): But the provisions in the rules are different.

Mr. A. V. Moothedan (*Chalakkudi*): I say regarding a member of the Council. Can he accept salary and then sit in this Council? Is there any similar provision in the Madras Act?

Rama Varmha Tampuran (*Secretary to Government*): In Madras it is statutorily necessary to pass a Bill; here, the power of interpretation is vested in the Diwan and when the Diwan makes a final ruling, that becomes binding. That is the difference between the Madras provision and the provisions in Cochin State. We are acting according to our State provision, and according to that, the action we have taken is perfectly right.

Mr. A. V. Moothedan (*Chalakkudi*): I don't think the interpretation is correct.

Mr. M. Sivarama Menon (*Advocate-General*): Please read section 69 of the Government of India Act. It contains no explanation at all. It provides for an Act of the Legislature. That is why they have passed an Act of the Legislature.

STAFF SELECTION BOARD MEETINGS

105. Mr. C. V. Iyyu (*Kunnamkulam*): Will Government be pleased to state.—

(a) whether the meetings of the Staff Selection Board are held every Wednesday as once notified in the Gazette for the last 6 months ending with 1st of Kanni 1118;

(b) the number of days delayed in each case, (1) by the subordinate offices for submitting the report of the fact that a vacancy has arisen to the Departmental head during the months of Mithunam, Karkadagam and Chingam, (2) by the Departmental Heads after knowing about the vacancy for reporting about the vacancy to the Government;

(c) whether the Government has taken any action to avoid such delays;

(d) if not, why?

Rama Varmha Tampuran (*Secretary to Government*): (a) Yes, except when other business intervened.

(b) No such instance has come to the notice of the Government.

(c) & (d) No answer is necessary.

HILL PADDY CULTIVATION

106. Mr. C. K. S. Moni (*Nominated*):

താഴെ പറയുന്ന ചോദ്യത്തിന് ഗവണ്മെന്റ് സദയം മറുപടി പറയുമോ—ഹിൽ പാഡി കൾട്ടിവേഷൻ സ്കീമനുസരിച്ച് ആനമല റോഡിനു സമീപം കൃഷി ചെയ്യുന്നുണ്ടോ?

Rama Varmha Tampuran (*Secretary to Government*): ഉവ്വ്.

മിസ്റ്റർ സി. കെ. എസ്സ്. മണി: ആനമല റോഡിനു സമീപം കൃഷി ചെയ്യുന്നതുകൊണ്ട് റോഡരികിൽ ഉള്ള മരങ്ങൾ മുറിച്ചുകളയേണ്ടിവന്നിട്ടില്ലെ?

മിസ്റ്റർ ടി. നാരായണമേനോൻ: കൃഷി ചെയ്യുവാൻ വേണ്ടിയുള്ള സ്ഥലത്തുണ്ടായിരുന്ന മരങ്ങൾ മുറിക്കുന്നുണ്ട്.

മിസ്റ്റർ സി. കെ. എസ്സ്. മണി: മരങ്ങൾ മുറിച്ചുകളയുന്നതുകൊണ്ട് റോഡിനോ പുതുതായി ആരംഭിക്കുവാൻപോകുന്ന ഇറിഗേഷനോ എന്തെങ്കിലും ഭോഷംവരുന്നുണ്ടോ?

Mr. V. J. Mathai (*Planters*): I would suggest that in the case of Malayalam questions the replies may be given in English. The questioners know English.

Mr. President: I cannot make any ruling.

Mr. V. J. Mathai (*Planters*): I am only requesting the Treasury Bench.

Mr. V. K. Bhaskara Menon (*Cranganur*): May I know Sir, how many acres will be available for hill paddy scheme adjacent to the Anamalais road?

Mr. T. Narayana Menon (*Conservator of Forests*): The area by the side of the road set apart for the purpose is about 2,000 acres. But we expect to take for cultivation this year only about two to three hundred acres.

Mr. V. J. Mathai (*Planters*): Of the area set apart for hill paddy cultivation even adjacent to the Anamalais road, if the labour is so great, why can't you give it to private owners for raising hill paddy.